

TOWN OF BEAUX ARTS VILLAGE

ORDINANCE NO. 295

AN ORDINANCE which establishes new procedures for enforcement of and prescribes penalties for repetitive false alarms and repeals Ordinance No. 172.

WHEREAS, the Council of the Town of Beaux Arts Villages wishes to clarify the procedures for enforcement of and prescribe penalties for repetitive false alarms; and

WHEREAS, the Town Council has received input from the King County Sheriff's Office regarding suggested procedures; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, AS FOLLOWS:

Section 1. Definition of False Alarm. A false alarm shall mean the activation of an alarm by other than a forced entry or attempted forced entry to the premises and at a time when no burglary or robbery or other criminal act is being committed or attempted on the premises.

Section 2. Deactivation of Alarm System. Owners of premises on which an alarm system is installed shall:

- a. post at the main entrance to such premises, or on a contact card on file in the King County Sheriff's Office Communications Center, a notice of the telephone number(s) at which the person(s) authorized to enter such premises can be reached to turn off any such alarm;
- b. appear and turn off any such alarm within one hour after being notified by the police to do so;
- c. not activate any robbery or burglary alarm for the purpose of summoning police except in the event of an actual or attempted burglary, robbery or other criminal act; or
- d. notify the police if they are aware that an activated alarm has been caused by an electrical or other malfunction of the alarm system.

Section 3. The first false alarm within a calendar month will not carry a charge. A fifty dollar (\$50.00) fine will be assessed for a second false alarm within a calendar month. A one hundred dollar (\$100.00) fine will be assessed for the third false alarm, and every successive one thereafter, within a calendar month.

Section 4. In the event there are four (4) or more false alarms within a six-month period, a False Alarm No-Response Status Notification letter will be mailed to the owner(s) of the premises, alarm companies and the Communications Center. This letter states that ten (10) days after the date that the Notification letter was mailed to the owner(s) of the premises and alarm company, if any, the King County Sheriff's Office will no longer be responding to **automatic** alarms at their residence. This does not apply to burglary/panic alarms or medical alerts. A warning letter will be sent out after the third false **automatic** alarm.

Section 5. Alarm responses that are cancelled before the arrival of dispatched deputies will not be counted as a false alarm for purposes of the False Alarm Ordinance and penalties or imposing No-Response Status.

Section 6. The King County Sheriff's Office will send out the citations with a copy to the Town. Payments will be mailed to the Town of Beaux Arts Village. All payments shall be made within 30 days.

Section 7. Appeal Process. A person assessed a penalty for a false alarm may appeal the assessment to the Town Council by filing a written request for a hearing setting forth the reasons for the appeal within ten (10) days after receipt of notice of fine. The filing of a request for an appeal hearing stays the assessment of the fine until a final decision is made by the Town Council at a regularly scheduled meeting.

Section 8. Validity. If any section, paragraph, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that they would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses or phrases may subsequently be found by competent authority to be unconstitutional or invalid.

Section 9. Repealer. Ordinance No. 172 is hereby repealed.

Section 10. Effective Date. This ordinance shall take effect and be in force five (5) days after its date of passage and publication.

**PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE ON
THE 16TH DAY OF JUNE, 1999.**

**APPROVED BY THE MAYOR OF THE TOWN OF BEAUX ARTS VILLAGE ON
THE 16TH DAY OF JUNE, 1999.**

Charles R. Lowry, Mayor

ATTEST:

Gail D'Alessio, Clerk/Treasurer

APPROVED AS TO FORM:

Wayne Stewart, Town Attorney

I certify that copies of the above ordinance were posted as required by law in the Town of Beaux Arts Village, Washington, on ____th day of _____, 1999.

Gail D'Alessio, Clerk/Treasurer